

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

As a below named inventor, I hereby declare that:

ATTORNEY DOCKET NO.: 057309-5004-02US

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**THERAPEUTIC AND DIAGNOSTIC AGENTS FOR THE  
TREATMENT OF MICROBIAL INFECTIONS**

The specification of which:

is attached hereto; or

was filed as PCT international application Number \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable). The U.S. National Stage application Serial No. \_\_\_\_\_ entered National Stage on \_\_\_\_\_ and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

**PRIOR FOREIGN APPLICATION(S):**

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No



Combined Declaration for Patent Application and Power of Attorney - (Continued)		
ATTORNEY DOCKET NO.: 057309-5004-02US		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
FULL NAME OF SOLE OR FIRST INVENTOR	Robert BARGATZE	
RESIDENCE & CITIZENSHIP	1302 Wildflower Way Bozeman, Montana 59715	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	1302 Wildflower Way Bozeman, Montana 59715	
FIRST OR SOLE INVENTOR'S SIGNATURE	DATE 2/13/04	
FULL NAME OF SECOND INVENTOR	John JUTILA	
RESIDENCE & CITIZENSHIP	516 S. Grand Avenue Bozeman, Montana 59715	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	516 S. Grand Avenue Bozeman, Montana 59715	
SECOND INVENTOR'S SIGNATURE	DATE 4/12/04	
FULL NAME OF THIRD INVENTOR	Jim CUTLER	
RESIDENCE & CITIZENSHIP	347 Millaudon Street New Orleans, Louisiana 70118	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	347 Millaudon Street New Orleans, Louisiana 70118	
THIRD INVENTOR'S SIGNATURE	DATE 2/13/04	

Listing of Inventors Continued on attached page(s): ☒ Yes ☐ No

Combined Declaration for Patent Application and Power of Attorney - (Continued)		
ATTORNEY DOCKET NO.: 057309-5004-02US		
FULL NAME OF FOURTH INVENTOR	Yongmoon HAN	
RESIDENCE & CITIZENSHIP	306 Treasure Ave. Bozeman, Montana 59718	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	306 Treasure Ave. Bozeman, Montana 59718	
FOURTH INVENTOR'S SIGNATURE		DATE
FULL NAME OF FIFTH INVENTOR	Barry PYLE	
RESIDENCE & CITIZENSHIP	4985 Foster Lane Bozeman, Montana 59715	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	4985 Foster Lane Bozeman, Montana 59715	
FIFTH INVENTOR'S SIGNATURE		DATE

Listing of Inventors Continued on attached page(s): ☐ Yes ☒ No

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ATTORNEY DOCKET NO.: 057309-5004-02US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**THERAPEUTIC AND DIAGNOSTIC AGENTS FOR THE  
TREATMENT OF MICROBIAL INFECTIONS**

The specification of which:

is attached hereto; or

was filed as PCT international application Number \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable). The U.S. National Stage application Serial No. \_\_\_\_\_ entered National Stage on \_\_\_\_\_, and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

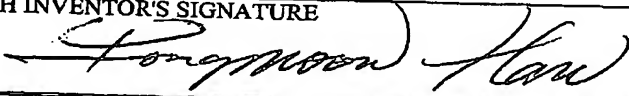
**PRIOR FOREIGN APPLICATION(S):**

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Combined Declaration for Patent Application and Power of Attorney - (Continued) ATTORNEY DOCKET NO.: 057309-5004-02US				
I hereby claim the benefits under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.				
<b>U.S. PROVISIONAL APPLICATIONS</b>				
U.S. PROVISIONAL APPLICATION NO.		U.S. FILING DATE:		
60/007,477		22 November 1995		
<p>I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:</p>				
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:				
U.S. OR PCT INTERNATIONAL APPLICATIONS		STATUS (Check One)		
APPLICATION NO.	FILING DATE	PATENTED	PENDING	ABANDONED
09/068,935	23 November 1998	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCT/US96/18796	21 November 1996	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
08/483,558	07 June 1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
08/247,972	23 May 1994	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis &amp; Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.</p> <p>Customer Number: <b>09629</b></p>				
<p>Direct Telephone Calls To:</p> <p style="text-align: center;"><b>Elizabeth C. Weimar</b> <b>202-739-5812</b></p>				

Combined Declaration for Patent Application and Power of Attorney - (Continued)		
ATTORNEY DOCKET NO.: 057309-5004-02US		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
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POST OFFICE ADDRESS	1302 Wildflower Way Bozeman, Montana 59715	
FIRST OR SOLE INVENTOR'S SIGNATURE		DATE
FULL NAME OF SECOND INVENTOR	John JUTILA	
RESIDENCE & CITIZENSHIP	516 S. Grand Avenue Bozeman, Montana 59715	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	516 S. Grand Avenue Bozeman, Montana 59715	
SECOND INVENTOR'S SIGNATURE		DATE
FULL NAME OF THIRD INVENTOR	Jim CUTLER	
RESIDENCE & CITIZENSHIP	347 Millaudon Street New Orleans, Louisiana 70118	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	347 Millaudon Street New Orleans, Louisiana 70118	
THIRD INVENTOR'S SIGNATURE		DATE

Listing of Inventors Continued on attached page(s): ☒ Yes ☐ No

Combined Declaration for Patent Application and Power of Attorney - (Continued)		
ATTORNEY DOCKET NO.: 057309-5004-02US		
FULL NAME OF FOURTH INVENTOR	Yongmoon HAN	
RESIDENCE & CITIZENSHIP	306 Treasure Ave. Bozeman, Montana 59718	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	306 Treasure Ave. Bozeman, Montana 59718	
FOURTH INVENTOR'S SIGNATURE 		DATE Feb. 16, 2004
FULL NAME OF FIFTH INVENTOR	Barry PYLE	
RESIDENCE & CITIZENSHIP	4985 Foster Lane Bozeman, Montana 59715	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	4985 Foster Lane Bozeman, Montana 59715	
FIFTH INVENTOR'S SIGNATURE		DATE

Listing of Inventors Continued on attached page(s): ☐ Yes ☒ No



MARCH 11, 2003

MORGAN, LEWIS & BOCKIUS LLP  
ERICH E. VEITENHEIMER  
PATENT SUPPORT UNIT  
1111 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004

PTAS

Chief Information Officer  
Washington, DC 20231  
www.uspto.gov



\*102291801A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/19/2002

REEL/FRAME: 013467/0060  
NUMBER OF PAGES: 49

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
RESEARCH AND DEVELOPMENT  
INSTITUTE, INC.

DOC DATE: 10/16/2002

ASSIGNEE:  
MONTANA STATE UNIVERSITY  
900 TECHNOLOGY BOULEVARD  
SUITE A  
BOZEMAN, MONTANA 59718

SERIAL NUMBER: 09914444  
PATENT NUMBER:

FILING DATE: 04/15/2002  
ISSUE DATE:

SERIAL NUMBER: 60122214  
PATENT NUMBER:

FILING DATE: 03/01/1999  
ISSUE DATE:

SERIAL NUMBER: 60268704  
PATENT NUMBER:

FILING DATE: 02/15/2001  
ISSUE DATE:

SERIAL NUMBER: 10099935  
PATENT NUMBER:

FILING DATE: 03/13/2002  
ISSUE DATE:

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MAR 17 2003

MORGAN, LEWIS & BOCKUS LLP

13472

SERIAL NUMBER: 09098875  
PATENT NUMBER:

FILING DATE: 06/17/1998  
ISSUE DATE:

SERIAL NUMBER: 09591476  
PATENT NUMBER:

FILING DATE: 06/09/2000  
ISSUE DATE:

SERIAL NUMBER: 09351630  
PATENT NUMBER: 6488929

FILING DATE: 07/12/1999  
ISSUE DATE: 12/03/2002

SERIAL NUMBER: 09733066  
PATENT NUMBER:

FILING DATE: 12/11/2000  
ISSUE DATE:

SERIAL NUMBER: 60053977  
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FILING DATE: 07/28/1997  
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FILING DATE: 03/01/2000  
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FILING DATE: 05/22/1998  
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ISSUE DATE:

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ISSUE DATE:

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FILING DATE: 08/21/2001  
ISSUE DATE: 02/04/2003

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FILING DATE: 01/30/2002  
ISSUE DATE:

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FILING DATE: 08/18/2000  
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FILING DATE: 07/02/1998  
ISSUE DATE:

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FILING DATE: 10/13/1999  
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PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 60306952	FILING DATE: 07/19/2001
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 08463707	FILING DATE: 06/05/1995
PATENT NUMBER: 5756095	ISSUE DATE: 05/26/1998
SERIAL NUMBER: 08558880	FILING DATE: 11/16/1995
PATENT NUMBER: 5885791	ISSUE DATE: 03/23/1999
SERIAL NUMBER: 09099196	FILING DATE: 06/18/1998
PATENT NUMBER: 6337347	ISSUE DATE: 01/08/2002
SERIAL NUMBER: 08483558	FILING DATE: 06/07/1995
PATENT NUMBER: 5578309	ISSUE DATE: 11/26/1996
SERIAL NUMBER: 09463607	FILING DATE: 05/03/2000
PATENT NUMBER: 6407831	ISSUE DATE: 06/18/2002
SERIAL NUMBER: 06389070	FILING DATE: 06/16/1982
PATENT NUMBER: 4517008	ISSUE DATE: 05/14/1985
SERIAL NUMBER: 09073835	FILING DATE: 05/06/1998
PATENT NUMBER: 6151337	ISSUE DATE: 11/21/2000
SERIAL NUMBER: 09084959	FILING DATE: 05/28/1998
PATENT NUMBER: 6146586	ISSUE DATE: 11/14/2000
SERIAL NUMBER: 07810410	FILING DATE: 12/20/1991
PATENT NUMBER: 5343155	ISSUE DATE: 08/30/1994
SERIAL NUMBER: 08695249	FILING DATE: 08/08/1996
PATENT NUMBER: 6455036	ISSUE DATE: 09/24/2002
SERIAL NUMBER: 06257424	FILING DATE: 04/24/1981
PATENT NUMBER: 4377571	ISSUE DATE: 03/22/1983
SERIAL NUMBER: 06313242	FILING DATE: 10/20/1981
PATENT NUMBER: 4428967	ISSUE DATE: 01/31/1984

SERIAL NUMBER: 06260167  
PATENT NUMBER: 4425150

FILING DATE: 05/04/1981  
ISSUE DATE: 01/10/1984

SERIAL NUMBER: 06364647  
PATENT NUMBER: 4434180

FILING DATE: 04/02/1982  
ISSUE DATE: 02/28/1984

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FILING DATE: 04/25/1994  
ISSUE DATE: 01/07/1997

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FILING DATE: 12/30/1998  
ISSUE DATE: 09/03/2002

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PATENT NUMBER: 4897350

FILING DATE: 01/30/1986  
ISSUE DATE: 01/30/1990

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PATENT NUMBER: 6180389

FILING DATE: 01/03/1997  
ISSUE DATE: 01/30/2001

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FILING DATE: 06/03/1988  
ISSUE DATE: 03/27/1990

SERIAL NUMBER: 09013923  
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FILING DATE: 01/27/1998  
ISSUE DATE: 11/09/1999

SERIAL NUMBER: 08673775  
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FILING DATE: 06/27/1996  
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SERIAL NUMBER: 08305943  
PATENT NUMBER: 5576298

FILING DATE: 09/15/1994  
ISSUE DATE: 11/19/1996

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PATENT NUMBER: 6309642

FILING DATE: 05/13/1998  
ISSUE DATE: 10/30/2001

SERIAL NUMBER: 09334922  
PATENT NUMBER: 6403090

FILING DATE: 06/17/1999  
ISSUE DATE: 06/11/2002

SERIAL NUMBER: 09334921  
PATENT NUMBER: 6391587

FILING DATE: 06/17/1999  
ISSUE DATE: 05/21/2002

SERIAL NUMBER: 07928486  
PATENT NUMBER: 5290408

FILING DATE: 08/13/1992  
ISSUE DATE: 03/01/1994

SERIAL NUMBER: 07845097  
PATENT NUMBER: 5451392

FILING DATE: 03/03/1992  
ISSUE DATE: 09/19/1995

SERIAL NUMBER: 07970887  
PATENT NUMBER: 5445809

FILING DATE: 11/03/1992  
ISSUE DATE: 08/29/1995

SERIAL NUMBER: 08309356  
PATENT NUMBER: 5570279

FILING DATE: 09/21/1994  
ISSUE DATE: 10/29/1996

SERIAL NUMBER: 07928488  
PATENT NUMBER: 5538890

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ISSUE DATE: 07/23/1996

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PATENT NUMBER: 5821066

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ISSUE DATE: 10/13/1998

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PATENT NUMBER: 5602725

FILING DATE: 09/21/1994  
ISSUE DATE: 02/11/1997

SERIAL NUMBER: 08979476  
PATENT NUMBER: 5908759

FILING DATE: 11/26/1997  
ISSUE DATE: 06/01/1999

SERIAL NUMBER: 08979239  
PATENT NUMBER: 5958741

FILING DATE: 11/26/1997  
ISSUE DATE: 09/28/1999

SERIAL NUMBER: 08979238  
PATENT NUMBER: 5916783

FILING DATE: 11/26/1997  
ISSUE DATE: 06/29/1999

SERIAL NUMBER: 08979942  
PATENT NUMBER: 6013493

FILING DATE: 11/26/1997  
ISSUE DATE: 01/11/2000

SERIAL NUMBER: 09047933  
PATENT NUMBER: 6329193

FILING DATE: 03/26/1998  
ISSUE DATE: 12/11/2001

SERIAL NUMBER: 08258105  
PATENT NUMBER: 5861302

FILING DATE: 06/10/1994  
ISSUE DATE: 01/19/1999

SERIAL NUMBER: 07971508  
PATENT NUMBER: 5322779

FILING DATE: 11/04/1992  
ISSUE DATE: 06/21/1994

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

PTO-1595  
-93)

11-25-2002

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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102291801

Attorney Docket No.: 057309-0001

Assistant Commissioner for Patents:  
Record the attached original documents or copy thereof.

ATTN: BOX ASSIGNMENT

1. Name of conveying party(ies):

Business and Development Institute, Inc.

11-19-02

Additional name(s) of conveying party(ies) attached?  
Yes ☒ No

2. Type of conveyance:

Assignment ☐ Merger  
Security Agreement ☐ Change of Name  
Other \_\_\_\_\_

Execution Date: October 16, 2002

2. Name and address of receiving party(ies):

Name: Montana State University

Internal Address: Suite A

Street Address: 900 Technology Boulevard

City: Bozeman

State: Montana

Zip: 59718

Additional name(s) & address(es) attached?

☐ Yes ☒ No

3. Location number(s) or patent number(s):

4. Is this document being filed together with a new application the execution date of the application is:

5. Additional numbers attached: ☒ Yes ☐ No

Name and address of party to whom correspondence  
concerning document should be mailed:

Patent Support Unit  
Mailing Address: Customer No. 09629  
Morgan, Lewis & Bockius LLP

Address: 1111 Pennsylvania Avenue, N.W.  
Washington State: D.C. Zip: 20004

6. Total number of applications and patents involved: 107

7. Total fee (37 C.F.R. § 3.41): \$ 4,280.00

☐ Enclosed

☒ Authorized to be charged to deposit account 50-0310

8. Deposit account number: 50-0310

Attach duplicate of page if paying by deposit account

9. Declaration and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

E. Veitenheimer, Reg. No. 40,420

Name of Person Signing

DBYRNE 00000149 500310 09914444

E. Veitenheimer

Signature

November 19, 2002

Date

Total number of pages including cover sheet, attachments and documents: 49

4200-00-GH



RECORDATION FORM COVER SHEET  
PATENTS ONLY

Attorney Docket No.: 057309-0001

n# 4 - Application number(s) or patent number(s):

Patent Application No.(s)	A. Patent Application No.(s)	B. Patent No.(s)	B. Patent No.(s)
914,444	09/319,580	5,756,095	5,570,279
122,214	09/834,727	5,885,791	5,538,890
268,704	60/197,674	6,337,347	5,821,066
99,935	09/083,852	5,578,309	5,602,725
98,875	09/734,206	6,407,831	5,908,759
91,476	60,368,145	4,517,008	5,958,741
51,630	60/113,505	6,151,337	5,916,783
33,066	09/869,077	6,146,586	6,013,493
53,977	09/400,350	5,343,155	6,329,193
52,842	60/142,048	6,455,036	5,861,302
52,841	60/142,389	4,377,571	5,322,779
52,843	60/142,524	4,428,967	
46,680	10/073,868	4,425,150	
08,128	60/045,030	4,434,180	
50,093	60/046,299	5,591,435	
18,551	60/330,433	4,889,810	
91,668	60/108,447	4,981,105	
16,868	09/831,306	5,051,359	
16,250	60/352,255	4,929,270	
39,674	60/226,010	6,444,787	
52,254	60/348,393	4,897,350	
50,405	10/225,303	6,180,389	
19,429	60/313,815	4,912,332	
11,828	10/018,691	5,981,264	
9,492	60/091,667	5,837,685	
4,786	09/417,485	5,576,298	
4,639	60/007,477	6,309,642	
2,611	09/068,935	6,403,090	
6,320	60/077,315	6,391,587	
0,118	60/271,709	5,290,408	
0,645	60/369,312	5,451,392	
8,354	60/306,952	5,445,809	

## Assignment Agreement

This assignment is made between Research and Development Corporation, Inc. (RDI), a non-profit corporation and Montana State University – Bozeman (MSU), a state institution of higher education.


Grantor is the owner of the entire right title and interest in the patents and patent applications listed in Schedule A attached and made a part hereof, the inventions described in each and all rights associated with each (collectively referred to as "the patents").

Now, therefore, grantor, grantor's successors in interest and assignees donate and assigns and transfers its right title and interest in the patents and any patent rights deriving benefit there from and the inventions described therein and all rights and claims associated with them and all proceeds arising from them.

Grantee hereby accepts the assignment and transfer and will assume all right, title and interest in the patents and applications.

The undersigned execute this agreement as the duly authorized officers of the parties.

RESEARCH AND DEVELOPMENT INSTITUTE, INC.

By:   
Chris Bateson

Title: Interim Director

Date: 10/16/02

MONTANA STATE UNIVERSITY – BOZEMAN

By:   
Rebecca W. Mahurin

Title: Director, Technology Transfer Office

Date: 10/16/02



114-5004  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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JUNE 15, 1999

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JUN 24 1999

MORGAN, LEWIS & BOCKIUS LLP  
MR. REID G. ALDLER  
1800 M STREET, N.W.  
WASHINGTON, D.C. 20036

MORGAN, LEWIS & BOCKIUS LLP

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/02/1999

REEL/FRAME: 9859/0705

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

JUTILA, JOHN

DOC DATE: 12/17/1998

ASSIGNOR:

BARGATZE, ROBERT

DOC DATE: 12/17/1998

ASSIGNEE:

LIGOCYTE PHARMACEUTICALS, INC.  
920 TECHNOLOGY BOULEVARD  
SUITE C  
BOZEMAN, MONTANA 59718

SERIAL NUMBER: 09068935

FILING DATE: 11/23/1998

PATENT NUMBER:

ISSUE DATE:

DOCKETED  
By GA Date 6-24-99

9859/0705 PAGE 2

LAWAN FLETCHER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

04-06-1999

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

SHEET



101001734

Attorney Docket No.: 47714-5004

42.99

To the Assistant Commissioner for Patents:

Please record the attached original documents or copy thereof.

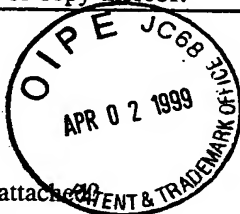
ATTN: BOX ASSIGNMENT

1. Name of conveying party(ies):

1. John Jutila
2. Robert Bargatze

Additional name(s) of conveying party(ies) attached NO

   Yes   X   No



2. Name and address of receiving party(ies):

Name: Ligocyte Pharmaceuticals, Inc.

Internal Address: Suite C

Street Address: 920 Technology Boulevard

City: Bozeman

State: MT

Zip: 59718

Additional name(s) & address(es) attached?

   Yes   X   No

3. Nature of conveyance:

- X   Assignment    Merger  
   Security Agreement    Change of Name  
   Other

Execution Date: December 17, 1998

4. Application number(s) or patent number(s):

If this document is being filed together with a new application the execution date of the application is:

A. Patent Application No.(s) 09/068,935

B. Patent No.(s)

Additional numbers attached:    Yes   X   No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mr. Reid G. Adler  
Internal Address: Customer No. 09629  
Morgan, Lewis & Bockius LLP

Street Address: 1800 M Street, N.W.  
City: Washington State: D.C. Zip: 20036

6. Total number of applications and patents involved:   1  

7. Total fee (37 C.F.R §3.41):   \$40.00  

  X   Enclosed

   Authorized to be charged to deposit account 50-0310

8. Deposit account number: 50-0310

Attach duplicate of page if paying by deposit account

9. Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Reid G. Adler

Name of Person Signing

Signature

April 2, 1999

Date

06/1999 DNGUYEN 00000098 09068935

EC:581

40.00 gp

Total number of pages including cover sheet, attachments and documents:   7

**Docket No.: 50198-109**

**ASSIGNMENT**

WHEREAS WE, John JUTILA and Robert BARGATZE of Bozeman, MT, respectively, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled THERAPEUTIC AND DIAGNOSTIC AGENTS FOR THE TREATMENT OF MICROBIAL INFECTIONS,

executed by us on the date of execution of this document, as shown below, and filed concurrently herewith;

OR

for which an application for United States Letters Patent was filed on May 21, 1998, and identified by United States Serial No. 09/068,935;

AND WHEREAS, LIGOCYTE PHARMACEUTICALS, INC., a corporation of the State of Montana and having an address of 920 Technology Blvd., Suite C, Bozeman, MT 59718 is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, We do hereby sell, assign, transfer and set over unto LIGOCYTE PHARMACEUTICALS, its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATIONS, We hereby agree with the said assignee that We will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

AND We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said LIGOCYTE PHARMACEUTICALS, INC., its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

12/17/98  
Date

12/17/98  
Date

  
John Jutila

  
Robert Bargatze

STATE OF MONTANA )  
 ) SS:  
COUNTY OF GALLATIN )

On this 17th day of December, 1998, before me personally appeared John Jutila, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

S E A L

Claudine Eckes  
Notary Public

My commission expires December 27, 2001

STATE OF MONTANA )  
 ) SS:  
COUNTY OF GALLATIN )

On this 17th day of December, 19 98, before me personally appeared Robert Bargatze, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

S E A L

Claudine Eckes  
Notary Public

My commission expires December 27, 2001